

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79513 of 2024

Arising Out of PS. Case No.-842 Year-2023 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Dukhi Yadav Son of Sita Ram Yadav R/o village-Thuthi Tola, Patuaha, ward no.26/21, P.S.-Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari Wife of Mukesh Kumar Yadav @ Mukesh Kumar R/o village-Thuthi Tola, Patuaha, ward no.26/21, P.S.-Saharsa, District- Saharsa. P/A-Daughter of Shivendra Kumar Suman, mohalla- Gangjala, Ward no. 16, Ps-Saharsa, Dist- Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 842-C of 2023 for the offence under Sections 498(A) of the I.P.C. and Section 4 of the D.P. Act.

3. As per the prosecution story, informant was married with the son of the petitioner on 25.06.2017 and the couple were blessed with two children. After the birth of second child, it is alleged that the in-laws of the informant along with the present petitioner started torturing her for demand of dowry, against



which this complaint case has been registered.

4. Learned counsel for the petitioner submits that petitioner is innocent and being father-in-law of the complainant, he has falsely been implicated in the present case with false and concocted allegations. The allegation levelled against him is general and omnibus and there is no demand of dowry. There is no prior complaint of torture and harassment. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He further submits that alleged occurrence have been committed on 07.07.2023 while complaint petition has been filed on 11.07.2023 and no explanation has been given for such delay.

5. Learned APP vehemently opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned S.D.J.M, Saharsa in connection with Complaint Case No. 842-C of 2023 subject to the conditions as



laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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